REMARKS

Claims 1, 4-11, 13 and 14 are all the claims pending in the application. Claims 9-11 and 14 are allowed. Claims 1, 4-8 and 13 presently stand rejected.

By way of this Amendment, Applicant is amending claim 1 to recite that the flexible container is a generally cylindrical shape *when completely filled with the fluid substance.*

Allowable Subject Matter

Allowable Subject Matter

The Examiner has indicated that claim 12 would be allowable if rewritten in independent form including all of the recitations of the base claim 9. Accordingly, in the Amendment filed may 10, 2005, Applicant has amended independent claim 9 to include the recitations of dependent claim 12. In addition, Applicant has deleted the recitations added to claim 9 in the previous response, so that independent claim 9 now includes the subject matter indicated as allowable by the Examiner in the Office Actions dated August 13, 2003 and May 20, 2004.

Applicant also respectfully requests that the Examiner allow dependent claims 10, 11, and 14 at least because of their dependency from amended claim 9.

Claim Rejection Under 35 U.S.C. § 102

Claims 1-4, 6, 7, and 9-11 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Olson (US 6,032,818).

Claims 1, 4, 6, and 7

With respect to amended independent claim 1, Applicant respectfully requests that the Examiner withdraw the rejection at least because Olson does not teach or suggest all of the

claim's recitations. For example, Olson does not teach or suggest the claimed flexible container that is a generally cylindrical shape *when completely filled with the fluid substance.*

The Examiner alleges that Figs. 9a-9c of Olson show a flexible container that is generally cylindrical.[1] However, Figs. 9a-9c of Olson merely show the liner 1 (flexible container) in the *process of being filled.*[2] There is no disclosure in Olson of a flexible container that is a generally cylindrical shape *when completely filled with the fluid substance.*

Accordingly, Applicant respectfully submits that independent claim 1 is patentable. In addition, Applicant respectfully submits that dependent claims 4, 6, and 7 are patentable at least because of their dependency from claim 1.

Claims 2 and 3
The rejection of claims 2 and 3 is moot in view of cancellation of these claims in the Amendment filed May 10, 2005.

Claims 9-11
The rejection of claims 9-11 is moot in view of the amendment to claim 9 in the Amendment filed May 10, 2005.

Claim Rejections Under 35 U.S.C. § §103
Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Olson in view of Bonerb (US 5,344,048). Claim 8 is rejected under 35 U.S.C. § 103(a) as allegedly

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[1] *See* Office Action dated December 15, 2004 at pages 7 & 8.

[2] *See* Olson at Figs. 9a-9f.

being unpatentable over Olson in view of Sharples (US 4,955,512). Claims 13 and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Olson in view of Chambers et al. (US 4,984,713).

Finally, Applicant respectfully submits that dependent claims 5, 8, and 13 are patentable at least because of their dependency from claim 1.
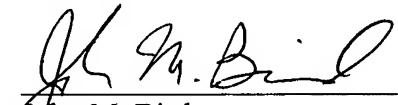
The rejection of claim 14 is moot in view of the amendment to claim 9.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: June 15, 2005

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